

**103 KAR 27:080. Meals served by railroads, airlines, and other transportation companies**

RELATES TO: KRS 139.010, 139.200

STATUTORY AUTHORITY: KRS 131.130

NECESSITY, FUNCTION, AND CONFORMITY: KRS 131.130(1) authorizes the Department of Revenue to promulgate administrative regulations for the assessment, collection, refunding, administration, and enforcement of Kentucky tax laws. This administrative regulation interprets the sales and use tax law as it applies to meals, prepared food, candy, soft drinks, and alcoholic beverages served by railroads, airlines or other transportation companies.

Section 1. Gross receipts or sales price includes sales of meals, prepared food, candy, soft drinks, and alcoholic beverages by railroads, pullman car, airlines or other transportation companies, while within the state.

Section 2. In cases where meals, prepared food, candy, soft drinks, and alcoholic beverages are served without a separately stated charge to the passengers of the foregoing companies, the company will be considered the consumer of the meals, prepared food, candy, soft drinks, and alcoholic beverages and the tax applies at the time of the sale to the company. (SU-52; 1 Ky.R. 466; eff. 3-12-1975; 12 Ky.R. 1156; eff. 2-4-1986; TAm eff. 5-20-2009; TAm eff. 6-22-2016; Crt eff. 1-28-2020; 46 Ky.R. 1284; eff. 4-2-2020.)